

ITEM:

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SUBJECT:

Mr. Abdul Ghafoor and Mr. Rajbir Sarkaria, former Gas for Less Station,
Contra Costa County

BOARD ACTION:

Consideration of Administrative Civil Liability Order

BACKGROUND:

Mr. Abdul Ghafoor owns and Mr. Rajbir Sarkaria operated (hereafter known as "Dischargers") the former Gas for Less Station at 924 West 10th Street in Antioch. Three underground storage tanks (UST) were used at this site to store gasoline. Upon removal in March 1999, perforations in the tanks were observed and fuel hydrocarbons were detected in the soils beneath the tanks. The Dischargers' consultant, Environet, submitted a 26 February 2001 work plan to install permanent monitoring wells and additional soil borings to complete the site investigation. In a 3 April 2001 letter, Regional Board staff approved part of the proposed site activities, and requested a work plan addendum. No additional fieldwork has been conducted since the borings were advanced in December 2000. On 22 March 2002, Environet submitted the requested addendum that included a site status report and a revised monitoring well location work plan. Regional Board staff reviewed the addendum and in a 28 June 2002 letter approved the proposed work and requested the results be submitted in a report by 20 September 2002. The report was not submitted. On 3 January 2003, the Regional Board staff made a second request in writing for the technical report with a due date of 11 February 2003. To date the proposed work has not been completed and the requested report not submitted.

On 12 September 2003 the Regional Board's Executive Officer issued an Order to Submit Technical Reports, pursuant to Section 13267 of the California Water Code. The Order directed the completion of the site investigation, the submittal of the results report by 26 November 2003 and the submittal of subsequent Quarterly Monitoring Reports. The Dischargers did not comply with these requirements. On 29 April 2004 the Regional Board's UST Program Manager issued a Notice of Violation and requested submittal of the past due reports by 29 April 2004. To date none of the reports have been submitted. Pursuant to Water Code Section 13268, the Executive Officer issued Administrative Civil Liability Complaint No.

R5-2005-0514 for \$50,000 on 31 May 2005

ISSUES:

The Dischargers continue to be in violation of their Section 13267 Order.

RECOMMENDATION:

Adopt Administrative Civil Liability Order as proposed.

Mgmt. Review_____

Legal Review_____

5 August 2005
Central Valley Water Board
11020 Sun Center Drive, No. 200
Rancho Cordova, CA